

State of Alaska FY2003 Governor's Operating Budget

Department of Public Safety Marine Enforcement Component Budget Summary

Component: Marine Enforcement

Contact: Col. Joel Hard, Director

Tel: (907) 269-5584 **Fax:** (907) 269-5616 **E-mail:** joel_hard@dps.state.ak.us

Component Mission

The mission of the Division of Fish & Wildlife Protection is to protect the state's fish and wildlife resources.

Component Services Provided

Perform wildlife law enforcement patrols and investigations throughout Alaska's 36,000 miles of coastline and 336,000 square miles of expanded Federal jurisdiction in the Bering Sea.

- Provide Boating Safety enforcement.
- Participate in Search and Rescue missions in coastal and offshore waters.
- Investigate and apprehend criminal offenders.
- Provide a safe and reliable research platform for State and Federal wildlife managers.

Component Goals and Strategies

The components purpose is to protect State fisheries and game resources by a combination of uniform trooper patrols on the grounds.

The tangent benefits of these patrols are increased trooper presence in remote Alaska where little other law enforcement exists. By such presence, public safety services, and support and trust of State government are improved in rural areas.

Key Component Issues for FY2002 – 2003

Considering the economic value of Alaska's wild resources, there is significant incentive for industry participants to violate regulations. Insufficient law enforcement resources exist to assure this does not occur and adversely impact the long-term viability of Alaska's fisheries.

- Over 50 billion pounds of seafood have been harvested during Alaska fisheries in the last 10 years. Last year alone the ex-vessel value exceeded 3 billion dollars.
- 32% of the nation's total landed volume came from Alaska.
- 586,000 square miles of land and 336,000 miles of expanded jurisdiction in the Bering Sea cannot be adequately patrolled with 91 funded Troopers.

The Division's marine patrol area is unrivaled by the remaining states, and insufficient vessels and sea days exist to assure essential protection of critical offshore fisheries in the Gulf, Bering Sea and Aleutian Islands. Annual CIP funds have not kept pace with maintenance let alone the acquisition of new replacement vessels.

Insufficient capital funding over the last several years has critically delayed necessary vessel replacements; critical patrol needs have not been met and trooper effectiveness has been reduced. Many vessels are aged and badly in need of replacement. These and many small patrol vessels have been extended so long they are no longer a reliable means for patrols. The Patrol Vessel (P/V) Enforcer is 50 years old and the P/V Woldstad, 20 years.

The 20-year-old P/V Burton, a 47-foot patrol vessel stationed in Cordova, was rendered unserviceable in 2000 due to structural problems brought on by age, extensive use and exposure to Prince William Sound (PWS) weather and sea conditions. This vessel served as an enforcement platform for operations throughout PWS and was essential to maintaining FWP presence during the worst of conditions.

Without the P/V Burton, enforcement of the highly competitive Copper River Driftnet Salmon fisheries; other Pink, Red, Coho, and Chinook salmon fisheries; winter trawl and long line fisheries; herring and many other commercial fisheries; sport fisheries; and sport and guide hunting activity are undermined. For FWP activities to be productive, efficient and broadly covered requires a replacement vessel capable of the patrols previously performed by the P/V Burton. Increased Pipeline Terminal security and emergency response needs add to the critical issue of this vessel's replacement.

DECREASE OF PATROL VESSEL FLEET

Without approval of funds to replace old, unsafe patrol vessels, the Division has had to turn to alternative methods of procuring replacements. In FY2001, the Division gained legislative approval to sell 7 of its old, inefficient vessels and use the proceeds for replacement vessels. Unfortunately, the current market prices and the estimated value of the existing vessels allowed the purchase of only 2 new vessels to replace the 7 that were sold. This is a net decrease of 5 patrol vessels statewide. While these purchases will provide some improvement to present conditions within the fleet, it falls far short of needed replacements. Without multi-year approval of CIP funds for replacement vessels, the continuing trend will be to downsize the patrol fleet, purchase and operate smaller vessels, and reduce sea worthiness. This will ultimately result in reduced enforcement of highly vulnerable fisheries and potential elimination of the highly valuable revenue to the state and economic support to communities they represent.

Division vessels need to be replaced in a timely manner if they are to be safe and effective in resource protection. Of the present operable vessels, three vessels are more than 15 years old and one over 50 years old.

CAPITAL IMPROVEMENT PROJECT (CIP) BUDGET

To maintain the Department's vessel fleet, an annual CIP appropriation is needed to fund the major expenses connected with shipyard overhauls and ongoing repairs needed especially for major vessels operating in harsh, salt-water environments. Without fully operational and safe patrol vessels, the Division commercial fisheries enforcement patrols are not possible. Preventative shipyard maintenance is critical. Besides being unsafe for the vessel and crew, breakdowns at sea can be expensive.

PATROL VESSEL FUEL PRICE HIKES

As with patrol vehicle and aircraft fuel price increases statewide, current funding levels do not allow for the increased prices related to vessels. The Marine Enforcement component is where marine gas, diesel fuel and diesel generated shorepower are budgeted. The FY2001 and FY2002 operating budget was based on prices paid during the Fall 1999 season. The division elected to not request incremental funding in FY2002 in hopes that fuel prices would drop and stabilize. Fortunately, supplemental funding was provided in FY2001 for this added cost.

Major Component Accomplishments in 2001

COMMERCIAL FISHERIES ENFORCEMENT

This critical support component of the Department shares everyday in the overall accomplishments of the Division of Fish & Wildlife Protection. Without the flexibility and mobility afforded by well-maintained vessels and professionally trained crews, much of Alaska's marine resources would be a unprotected and broad expanse of the Bering Sea and North Pacific Ocean would be patrolled less frequently.

A commercial crab vessel was cited for illegal operation of pot gear during the 2000 Tanner Crab season. Forfeiture of the value of the catch was \$218,479. The skipper was fined \$15,000.

Another vessel was cited for illegal operation of pot gear during the 2000 Red King Crab season. Forfeiture of value of catch was \$16,550. This skipper was also fined \$15,000. This was also the first case in the Bering Sea where the Division caught fisherman using a time-release device to keep the buoys submerged during the illegal fishing.

On 6-28-01, the Cordova Post handled a major search and rescue (SAR) involving two missing young men who drowned. The initial search for the men and the week long effort required coordination of 150 local volunteers, USCG air support, Cordova Police Department, Cordova Fire Department, and two Search Dog rescue teams.

Two major Marine Vessel accidents occurred in Prince William Sound and were handled by FWP Marine enforcement personnel. One accident occurred when the skipper ran his boat into the shore at high speed. Another investigation occurred when a vessel hit a rock and sank near Valdez Arm spilling a large amount of oil into the water.

The F/V Toby II was seized after it was found fishing in closed waters near Togiak during 2001 Bristol Bay Red Salmon season.

BRISTOL BAY COMMERCIAL SALMON ENFORCEMENT

The Bristol Bay Red Salmon Season continues to be the largest single enforcement program for the Division. During the 2001 season Troopers investigated 196 incidents, wrote 140 citations and gave 21 warnings. The largest majority of cases were for fishing in closed waters and for fishing during a closed period. Patrols of this important fishery were conducted using GPS-equipped vessels and aircraft, improving enforcement.

Statutory and Regulatory Authority

- 1) Aeronautics (AS 02)
- 2) Criminal (AS 11)
- 3) Environment (AS 46)
- 4) Fish & Game (AS 16)
- 5) Fish & Game (5 AAC)
- 6) Guide/Outfitting (12 AAC)
- 7) Guide/Outfitting (AS 08)
- 8) Health & Safety (AS 18)
- 9) Limited Entry (20 AAC)
- 10) State Government (AS 44)

Marine Enforcement

Component Financial Summary

All dollars in thousands

	FY2001 Actuals	FY2002 Authorized	FY2003 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,999.5	2,140.6	2,180.7
72000 Travel	67.2	55.4	75.2
73000 Contractual	530.5	368.8	404.3
74000 Supplies	528.5	558.1	579.1
75000 Equipment	84.1	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	3,209.8	3,122.9	3,239.3
Funding Sources:			
1004 General Fund Receipts	2,791.8	2,716.2	2,827.0
1053 Investment Loss Trust Fund	12.7	0.0	0.0
1134 Fish & Game Duplicated Expenditures	405.3	406.7	412.3
Funding Totals	3,209.8	3,122.9	3,239.3

Estimated Revenue Collections

Description	Master Revenue Account	FY2001 Actuals	FY2002 Authorized	FY2002 Cash Estimate	FY2003 Governor	FY2004 Forecast
<u>Unrestricted Revenues</u>						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
<u>Restricted Revenues</u>						
Fish and Game Fund	51045	405.3	406.7	406.7	412.3	412.3
Investment Loss Trust Fund	51393	12.7	0.0	0.0	0.0	0.0
Restricted Total		418.0	406.7	406.7	412.3	412.3
Total Estimated Revenues		418.0	406.7	406.7	412.3	412.3

Marine Enforcement**Proposed Changes in Levels of Service for FY2003**

The intent of this Division is to maintain current level of services. In order to accomplish this, sufficient funds must exist to support needed vessel sea days. Based on fuel prices experienced in FY2001 and continuing into FY2002, a funding increase is needed. Without funding, the current level of services will be reduced. This can only be accomplished by restricting the Department's sea days, seriously impacting the Department's mission.

Summary of Component Budget Changes**From FY2002 Authorized to FY2003 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2002 Authorized	2,716.2	0.0	406.7	3,122.9
Adjustments which will continue current level of service:				
-Year 3 Labor Costs - Net Change from FY2002	54.3	0.0	5.6	59.9
Proposed budget increases:				
-FWP Patrol Vessel Fuel Related Cost Increases	56.5	0.0	0.0	56.5
FY2003 Governor	2,827.0	0.0	412.3	3,239.3

Marine Enforcement**Personal Services Information**

Authorized Positions		Personal Services Costs		
	<u>FY2002</u>	<u>FY2003</u>		
	<u>Authorized</u>	<u>Governor</u>		
Full-time	22	22	Annual Salaries	1,148,072
Part-time	0	0	COLA	46,184
Nonpermanent	0	0	Premium Pay	536,962
			Annual Benefits	536,525
			<i>Less 3.84% Vacancy Factor</i>	(87,043)
			Lump Sum Premium Pay	0
Totals	22	22	Total Personal Services	2,180,700

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	1	0	0	0	1
Boat Officer I	0	0	0	2	2
Boat Officer III	0	0	0	4	4
Boat Officer IV	0	0	0	2	2
F&W Aide	0	0	0	3	3
Sergeant PS	0	0	0	1	1
State Trooper	1	0	0	5	6
Vessel Supervisor	1	0	0	0	1
Vessel Technician II	0	0	0	2	2
Totals	3	0	0	19	22